S.B. CIVIL WRIT PETITION NO.870/2006

Hari Singh.

vs.

Chattarpal Singh and another.

Date : 29.10.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr.Ranjeet Joshi, for the petitioner.
Mr.GR Punia, for the respondent.

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Heard learned counsel for the parties.

The petitioner/plaintiff is aggrieved against the order dated 12.1.2006 by which the trial court dismissed the petitioner's application filed under Section 65 of the Evidence Act on two counts that the document as set up was itself not registered and it was not admissible in evidence.

The trial court found that the plaintiff is not seeking to produce the document for any collateral purpose but is seeking it for main purpose. Secondly, the court found the document itself as suspicious.

After going through the facts of the case, I

do not find any reason to interfere in the impugned order since the document itself was not admissible in evidence, then its copy could not have been admitted in evidence under Section 65 of the Evidence Act.

Consequently, this writ petition having no force, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya